



## **Factsheet on Proposed Environmental Cooperative Agreement between Cook Composites and Polymers Co. (CCP) and Wisconsin Department of Natural Resources**

Pursuant to Section 299.80, Wis. Stats., the Wisconsin Department of Natural Resources (DNR) is proposing to issue and enter into an Environmental Cooperative Agreement (Agreement) with Cook Composites and Polymers Co. (CCP) located at 340 Rail Road Street, Saukville, Wisconsin.

### **Facility and Project Background Information**

The CCP Saukville facility manufactures polyester and alkyd resins used in a variety of applications including the coatings, sanitary, automotive and marine industries. The facility, located approximately 25 miles north of Milwaukee, began resin production in 1949 and employs approximately 75 full-time staff in Wisconsin.

The CCP Saukville facility's current production capacity is approximately 52 million pounds of resin per year, produced in more than 3000 batches. The primary wastes generated at the facility are reaction water, spent solvents, filter cleaning residues, and miscellaneous off-spec materials. The facility currently disposes two of the waste streams (reaction water and solvents) in an onsite Resource Conservation and Recovery Act (RCRA) licensed hazardous waste incinerator.

In 1998, the CCP Saukville facility generated approximately five million pounds of a characteristic hazardous waste stream known as esterification water, or more commonly "reaction water". The reaction water stream is considered characteristically hazardous for ignitability based on the presence of low concentrations of volatile organic chemicals. The reaction water is occasionally characteristically hazardous for corrosivity due to low pH. Additionally, in 1998 the CCP Saukville facility generated approximately 1.7 million pounds of spent solvent that were used as a supplemental fuel in the incinerator.

CCP recognized the economic, environmental, and community relations benefits associated with moving to waste minimization and pollution prevention approaches to manage its hazardous wastes and other waste streams associated with the reaction water. The challenge was to synchronize CCP's technical and business evaluation of waste minimization and pollution prevention options with the regulatory requirements and regulatory review of DNR and U.S. EPA staff from many different environmental programs including, among others:

- re-issuance of CCP's Hazardous Waste Treatment and Storage license;

- future requirements the Federal Clean Air Act's "NESHAPS: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustor Final Rule" which had yet to be published; and
- wastewater pretreatment requirements under the Clean Water Act.

CCP decided that an Environmental Cooperative Agreement might help facilitate their waste minimization project.

- In March 1999, CCP submitted a letter of intent for an Agreement to DNR.
- In May 1999 DNR accepted CCP into the program.
- In May 1999, CCP revised and updated the incinerator's Hazardous Waste Facility Feasibility and Plan of Operation Report (FPOR) according to the current schedule in the DNR call-in letter. CCP also began evaluating waste minimization and pollution prevention options for management of reaction water.
- In August 1999, CCP submitted their initial Environmental Cooperative Agreement proposal to DNR. At the same time, CCP began a pollution prevention study focusing on a new, Macro Porous Polymer – Extraction (MPPE) technology developed by Akzo Nobel Inc. In December 1999 the MPPE study was completed. Subsequent pilot studies, conducted at other CCP plants, demonstrated that the MPPE technology was effective with essentially complete removal (99.9%) of nonpolar volatile and semi-volatile compounds such as xylene.
- In February 2001 DNR and CCP reached consensus on the Agreement and initiated public notice of the Agreement. A public informational meeting on the Agreement was scheduled March 22 to seek additional public input. After necessary adjustments are made, CCP and DNR intend to sign the Agreement and begin carrying it out.

## **Project Summary**

This Environmental Cooperative Agreement provides the structural framework for CCP and DNR to reprioritize and focus their resources to evaluate the feasibility and desirability of a waste minimization project to eliminate generation of five million pounds of a characteristic hazardous waste and the need for a hazardous waste incinerator. Specifically CCP commits to cease burning hazardous waste in its incinerator by September 30, 2001. This is one year before it would be otherwise required to do so by EPA.

The Agreement provides a clear timeline and regulatory path for CCP to implement their waste minimization project and make the transition from a facility that burns hazardous wastes to a facility that does not. As part of this Agreement CCP also commits to establish an Environmental Management System, to establish a community advisory committee and to conduct ongoing dialogue with the community on environmental issues, to pursue other pollution prevention projects and to take a leadership role in product environmental stewardship.

## **Goals for CCP Saukville Facility**

As part of CCP's commitment to superior environmental performance CCP has set goals that are beyond the requirements of environmental regulations. The Agreement identifies specific

objectives, activities and timelines that CCP and DNR commit to, directed at achieving the following CCP goals:

- A. Through waste minimization and pollution prevention eliminate, or significantly reduce the waste streams that are currently burned in its hazardous waste incinerator without transferring them to another environmental media.
- B. Establish a long-term reduction in the amount of wastes generated and contaminants and pollutants released giving priority to those pollutants, contaminants and wastes of highest health and environmental concern.
- C. Through implementation of CCP's Environmental Management System, continuously improve its practices to minimize environmental impacts, conserve natural resources and to work cooperatively with its neighbors, the local community and others in these efforts.
- D. Take leadership in product stewardship, integrating health, safety and environmental considerations into the design, development and improvement of products, including a commitment to conserve, where possible, natural resources and energy. In partnership with its customers strive to encourage continued environmental stewardship in the use and ultimate disposal of its products.

### **Variances that would be granted by the proposed action**

The Agreement does not grant any variances to environmental standards, emission limits, or pollution control requirements. Restated another way, it does not allow CCP to impact the environment in ways not currently allowed under state and federal rules and laws. CCP shall rely upon the operational flexibility and commitment to deadlines, coordination and communication by both DNR and US EPA to make this proposed project possible. As part of this Agreement, DNR agrees to coordinate its air, water and hazardous waste reviews and commit to a timeline for coordinated review and decision making.

### **Significant factual, legal, methodological, and policy questions considered by DNR**

DNR thoroughly reviewed all elements of this Agreement. Several key questions were considered. First, was there technology available that would give CCP new opportunities to reduce, reuse and recycle their hazardous wastes? CCP initially conducted feasibility and pilot studies of the new MPPE technology. The studies demonstrated that the system should be able to remove 99.9% of the xylene, the major constituent that made the reaction water hazardous. As part of this Agreement CCP commits to conduct similar studies of waste minimization options for their cleaning and process solvent wastes as well as glycol wastewater stream (a non-hazardous waste).

A second question DNR addressed was what regulatory requirements, approvals and permits modifications would CCP need to implement their waste minimization project? Was it possible within the regulatory review timelines and the agency's staffing constraints to provide a clear pathway for regulatory review of CCP's project? DNR staff from hazardous waste, air, pretreatment and remediation and redevelopment identified the requirements and approvals required for their programs and agreed to re-prioritize their workloads so that a coordinated and timely review of the CCP's waste minimization project could be made by DNR. A benefit was that both DNR and CCP staff could focus their limited time and resources on the waste minimization project. The DNR agreed to this re-prioritization under the condition that CCP continues to operate the facility's incinerator under their existing requirements and have the transition completed by October 2001.

A third question DNR and CCP considered was how to best manage the glycol wastewater stream until the results of the waste minimization feasibility studies are complete. The choices were to discharge the non-hazardous, but high strength wastewater to the Saukville Wastewater Treatment Plant (WWTP) or to continue to use the existing incinerator as a non-hazardous, zero discharge wastewater pretreatment system. Since the Saukville WWTP has limited additional capability to treat high strength waste, the decision was to use the zero-discharge wastewater pretreatment option. This system will be regulated both by DNR's wastewater pretreatment and by DNR's air management programs.

Finally DNR wanted to insure the continuation of corrective action cleanup at the facility. This cleanup is required as part of the facility's Hazardous Waste License. As part of this Agreement, CCP makes a legally binding commitment to continue to implement the corrective action measures and monitoring agreed to as part of the facility's plan of operation initially approved as part of its Hazardous Waste License.

## **Consistency with statutory obligations**

The proposed Agreement is consistent with the statutory goals and requirements of the Environmental Cooperation Pilot Program, as specified in ss. 299.80(2) and (3), Wis. Stats. CCP has committed to implement an environmental management system that is based on the standards for environmental management systems issued by the International Organization for Standardization or that has equivalent components. The company has expressed a commitment to superior environmental performance and to take a leadership role in product stewardship. The proposed Agreement includes measurable and verifiable goals for waste reduction, improved efficiency, and reduced use of natural resources. Pollution limits remain verifiable, enforceable, and at least as stringent as they otherwise would be. For example, the facility will continue to provide information to DNR on its emissions, discharges and waste generation for its incinerator and other operations under the reporting and permitting requirements of Wisconsin's Hazardous Waste, Clean Air, Clean Water and other environmental laws. CCP also continues to operate a separate thermal oxidizer that provides control of air emissions from CCP's other production and plant processes.

Under the terms of this Agreement, CCP will perform periodic audits and performance evaluations. The company will meet regularly with interested persons from the community surrounding the plant, and those stakeholders will be involved in meaningful ways in reviewing environmental performance and discussing issues. Finally, the company will report periodically to the DNR and interested persons group on the implementation of the Agreement and on the company's environmental performance.

The terms of this Agreement should lead to increased trust among CCP, the public, and DNR. The Agreement should reduce the amount of time spent by CCP and DNR on administrative tasks and permitting, and it will serve as a useful experiment and model that may help other companies improve their environmental performance.

### **For More information about the Agreement and Wisconsin's Environmental Cooperation Pilot Program**

Copies of this Cooperative Environmental Agreement and factsheet can be accessed via the Internet at: <http://www.dnr.state.wi.us/org/caer/cea/ecpp> or by contacting the DNR project manager, Lynn Persson, Wisconsin DNR, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921, Email: [perssl@dnr.state.wi.us](mailto:perssl@dnr.state.wi.us), (608) 267-3763 or Fax (608) 267-0496.

The Environmental Cooperation Pilot Program (Program) was introduced by Governor Thompson and passed by the State Legislature as part of the 1997 – 1999 Biennial Budget. It is designed to evaluate innovative environmental regulatory methods including whole-facility regulation. It encourages the use of systematic assessments of environmental impacts from this facility, and is designed to focus on reducing pollution in an efficient and cost effective manner. The Program provides increased flexibility for pilot facilities that not only maintain existing levels of environmental protection, but also go beyond and provide superior environmental performance. Furthermore, the Program encourages substantial public participation by those affected by the activities at the facility. For more information about the Environmental Cooperative Agreement Program contact Mark McDermid, Director, Bureau of Cooperative Environmental Assistance, Wisconsin DNR, Box 7921, Madison, WI 53705-7921. Phone (608)267-3125 or email [mcderm@dnr.state.wi.us](mailto:mcderm@dnr.state.wi.us). More information about the program can be accessed via the Internet at: <http://www.dnr.state.wi.us/org/caer/cea/ecpp>

*Reasonable request for the information in an alternate format will be provided to qualified individuals with disabilities. Contact the Bureau of Cooperative Environmental Assistance (608)267-9700 for more information.*